



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

PATENT

Serial No.: 10/622,755 )  
Filed: July 18, 2003 )  
For: AN EXPIRATORY LIMB FOR A )  
BREATHING CIRCUIT )  
Applicant: SMITH et al. )  
Examiner: Not yet assigned )  
Art Unit: Not yet assigned )  
Attorney Ref: 1171/39359A/95A-DIV )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

December 5, 2003

Date

Tiffany E. Sexton

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313/1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Supplemental Information Disclosure Statement and Form PTO-1449.

Also enclosed is an abstract of Australian Publication No. 200143823. It is relevant because it discloses a breathing circuit component that includes an inlet, an outlet and an enclosing wall. The enclosing wall defines a gases passageway between the inlet and the outlet. At least a region of the enclosing wall is formed from a breathable material that allows the passage of water vapour without allowing the passage of liquid water or respiratory gases. The breathing circuit component may be the expiratory limb for a breathing circuit.

Applicant also advises the Examiner of co-pending United States patent application Serial No. 10/563,821.

This Supplemental Information Disclosure Statement is being filed before the receipt of the first Office Action on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56

exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: Dec. 2003

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